

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

1 MAXIMO VILLALOBOS, ET AL.,

2 Plaintiffs,

Civil No. 97-1589 (JAF)

3 v.

4 NORTH CAROLINA GROWERS
5 ASSOCIATION, INC., et al.,

6 Defendants.
7
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U.S. DISTRICT COURT
SAN JUAN, P.R.

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10 OPINION AND ORDER

11 Plaintiffs Máximo Villalobos and seventy-seven other individuals
12 instituted an action for damages and equitable relief against
13 Defendants North Carolina Growers Association, Inc. and sixty other
14 persons pursuant to 28 U.S.C. § 1337 and 29 U.S.C. § 1854. We
15 exercised federal question jurisdiction pursuant to 28 U.S.C. § 1331.
16 In the midst of discovery, Defendants filed a Motion for Protective
17 Order and a Motion to Compel Plaintiffs to Respond to First Sets of
18 Interrogatories and Requests for Production of Documents.
19

20 After considering Defendants' motions, Plaintiffs' reply, and
21 the broad discretion granted to us by Fed. R. Civ. P. 26(d), we **DENY**
22 Defendants Motion for Protective Order and **ORDER** as follows:¹
23

24 ¹Rule 26 provides in relevant part:

25 Unless the court upon motion, for the
26 convenience of parties and witnesses and in the
interests of justice, orders otherwise, methods

Civil No. 97-1584 (JAF)

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1. Defendants to be deposed according to the mutually agreed upon schedule and without waiting for receipt of Plaintiffs' response to interrogatories or production of documents;

2. All Plaintiffs to respond to Defendants' request for interrogatories and production of documents by January 30, 2000 ;

3. Lynn Smith to be deposed according to the December 1, 1999 Revised Deposition Schedule;

4. G. C. Douglas and Paul Douglas deposed as agreed by the parties, or, in the alternative, G. C. Douglas to be deposed at his place of residence and Paul Douglas to be deposed at a place and time agreed by the parties; and

5. Deposition of Rule 30(b)(6) witness not be limited to events of the year 1994 and may include events in 1993 and subsequent to 1994.

IT IS SO ORDERED.

San Juan, Puerto Rico, this 10th day of December, 1999

Sp. J. Lopez
L. Ortiz
L. Blumer
A. Triado

M. Drake
1999
TELS

Jose Antonio Fuste
JOSE ANTONIO FUSTE
U. S. District Judge

of discovery may be used in any sequence, and the fact that a party is conducting discovery, whether by deposition or otherwise, shall not operate to delay any other party's discovery.

Fed. R. Civ. P. 26(d). See Crawford-El v. Britton, 118 S. Ct. 1584, 1587 (1998).